

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FLECTAT, LTD., on its own behalf
as Lead Underwriter and on behalf
of all Underwriters Subscribing to
Certificate No. 103850/MGU001,

Case No. 1:21-cv-100

Judge Michael R. Barrett

Plaintiff,

v.

4747 MONTGOMERY ROAD
PARTNERS LLC, *et al.*,

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on June 7, 2022. (Doc. 36). Proper notice was given to the parties under 28 U.S.C. 636(b)(1)(C) and Fed. R. Civ. P. 72(b), including notice that they may forfeit rights on appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *see Berkshire v. Dahl*, 928 F.3d 520, 530 (6th Cir. 2019). No objections to the R&R (Doc. 36) were filed.

The R&R (Doc. 36) of the Magistrate Judge is hereby **ACCEPTED** and **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, the Motion to Dismiss filed by Defendants 4747 Montgomery Road Partners LLC, Arshia, Inc., and Dash 163, LLC (Doc. 31) is **DENIED**.

IT IS SO ORDERED.

s/ Michael R. Barrett
Michael R. Barrett, Judge
United States District Court